

Senate File 2250 - Introduced

SENATE FILE 2250
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 3039)

A BILL FOR

1 An Act relating to planning and service delivery under the
2 purview of the department on aging including the designation
3 of area agencies on aging, and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 231.14, subsection 1, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *j.* Adopt policies and administrative
4 rules pursuant to chapter 17A that support the capabilities
5 of the area agencies on aging and the aging and disabilities
6 resource centers to serve older individuals and persons with
7 disabilities experiencing Alzheimer's disease or related
8 dementias.

9 Sec. 2. Section 231.32, subsections 1 and 2, Code 2011, are
10 amended to read as follows:

11 1. The commission shall designate ~~thirteen area agencies~~
12 ~~on aging, the same of which existed on July 1, 1985~~ an area
13 agency on aging for each planning and service area. The
14 commission shall continue the designation until an area agency
15 on aging's designation is removed for cause as determined by
16 the commission ~~or~~, until the agency voluntarily withdraws as
17 an area agency on aging, or until a change in the designation
18 of planning and service areas or area agencies on aging
19 is required by state or federal law. In that event, the
20 commission shall proceed in accordance with subsections 2, 3,
21 and 4. Designated area agencies on aging shall comply with the
22 requirements of the federal Act.

23 2. The commission shall designate an area agency to serve
24 each planning and service area, after consideration of the
25 views offered by units of general purpose local government. An
26 area agency may be:

27 *a.* An established office of aging which is operating within
28 a planning and service area designated by the commission.

29 *b.* Any office or agency of a unit of general purpose local
30 government, which is designated to function only for the
31 purpose of serving as an area agency on aging by the chief
32 elected official of such unit.

33 *c.* Any office or agency designated by the appropriate
34 chief elected officials of any combination of units of general
35 purpose local government to act only on behalf of ~~the~~ such

1 combination for such purpose.

2 *d.* Any public or nonprofit private agency in a planning
3 and service area or any separate organizational unit within
4 such agency which is under the supervision or direction for
5 this purpose of the department on aging and which can and will
6 engage only in the planning or provision of a broad range of
7 supportive services or nutrition services within the planning
8 and service area.

9 Sec. 3. REVOKING OF DESIGNATION AND DESIGNATION OF AREA
10 AGENCIES ON AGING — EMERGENCY RULES.

11 1. Based upon the plan for reduction in the number of
12 area agencies on aging submitted pursuant to 2011 Iowa Acts,
13 chapter 122, section 20, and pursuant to procedures established
14 by the department on aging in accordance with the federal
15 Older Americans Act, the commission on aging shall revoke the
16 designation of the existing area agencies on aging on June 30,
17 2012, and shall designate an area agency on aging to represent
18 each planning and service area effective July 1, 2012.

19 2. The department on aging may adopt emergency rules under
20 section 17A.4, subsection 3, and section 17A.5, subsection 2,
21 paragraph "b", to implement the provisions of this section and
22 the rules shall be effective immediately upon filing unless
23 a later date is specified in the rules. Any rules adopted
24 in accordance with this section shall also be published as a
25 notice of intended action as provided in section 17A.4.

26 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 This bill provides for the revoking of the designation of
30 existing area agencies on aging and the designation of new area
31 agencies on aging.

32 The bill eliminates the requirement that the commission on
33 aging designate 13 area agencies on aging and instead directs
34 the commission to designate an area agency on aging for each
35 planning and service area in the state, and to continue the

1 designation until certain criteria are met. In addition to
2 the existing criteria for revoking of the designation of an
3 area agency on aging, the bill includes the new criterion for
4 an area agency on aging to continue until a change in the
5 designation of planning and service areas or area agencies on
6 aging is required by state or federal law.

7 The bill provides that the entities specified under the law
8 to function as an area agency on aging are to function only for
9 that purpose or engage only in the functions of an area agency
10 on aging.

11 The bill also directs the commission on aging to revoke the
12 designation of the existing area agencies on aging on June 30,
13 2012, and to designate an area agency on aging to represent
14 each planning and service area effective July 1, 2012, based on
15 the plan for reduction in the number of area agencies on aging
16 submitted pursuant to 2011 Iowa Acts, chapter 122, section
17 20, and pursuant to procedures established by the department
18 on aging in accordance with the federal Older Americans Act.
19 The bill authorizes the department on aging to adopt emergency
20 rules to implement the revocations of designation and the
21 designation of new area agencies on aging.

22 The bill also directs the commission on aging to adopt
23 policies and administrative rules that support the capabilities
24 of the area agencies on aging and the aging and disabilities
25 resource centers to serve persons experiencing Alzheimer's
26 disease or related dementias.

27 The bill takes effect upon enactment.